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Marg Winialski  
Name  
Marg Winialski  
Signature

Case 7379M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :  
**T. W. KEOUGH, ET AL.** :  
Serial No.: 09/889,053 : Group Art Unit:  
Filed: July 11, 2001 : Examiner:  
Confirmation No.: 9984 :

For: Methods and Kits for Sequencing Polypeptides

INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☐ 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. ☒ 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1<sup>st</sup> O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

**THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO  
(2) OR (3) MARKED WITH AN (X) ABOVE.**

(a) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) ☒ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. ☐ 37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. ☐ Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

6. ☐ 37 C.F.R. §1.97(c) with fee payment - (use after 1<sup>st</sup> Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

☐ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. \_\_\_\_, U.S. Patent Application Serial No. \_\_, filed \_\_. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☒ (2) Copies of the cited documents are enclosed.

OR

☐ (3) Copies of all said documents, except document No.'s \_\_\_\_, were submitted and considered in parent application U.S. Patent Application Serial No. \_\_\_\_, filed \_\_\_\_\_. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s \_\_\_\_ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s \_\_\_\_ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.



Additional information is attached.

Respectfully submitted,

By Bart S. Hersko

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December 20, 2001

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)  SHEET 1 of 1	<b>COMPLETE IF KNOWN</b>	
	Application Number	09/889,053
	Confirmation Number	9984
	Filing Date	July 11, 2001
	First Named Inventor	Thomas Woods Keough
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	7379M

**U. S. PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	U.S. PATENT DOCUMENT: Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	FOREIGN PATENT DOCUMENT: Office <sup>3</sup> Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
		COX, K.A., et al., "Role of the Site of Protonation in the Low-Energy Decompositions of Gas-Phase Peptide Ions", JOURNAL OF THE AMERICAN SOCIETY FOR MASS SPECTROMETRY, US, ELSEVIER SCIENCE INC., pp. 522-531, Vol. 7, No. 1, June 1, 1996	
		NAKANISHI, T. et al., "Electrospray ionization - Tandem Mass Spectrometry Analysis of Peptides Derived by Enzymatic Digestion of Oxidized Globin Subunits: An Improved Method to Determine Amino Acid Substitution in the Hemoglobin 'Core'", JOURNAL OF THE AMERICAN SOCIETY FOR MASS SPECTROMETRY, US, ELSEVIER SCIENCE INC, pp 1040-1049, Vol. 7 No. 10, October 1, 1996	
		ROTH, K. D. W., HUANG, Z.-H., SADAGOPAN, N., WATSON, J.T., "Charge Derivatization of Peptides for Analysis by Mass Spectrometry", MASS SPECTROM, REV., p. 255, Vol. 17, 1998	
		HAUNG, Z.-H., WU, J., ROTH, K. D. W., YANG, Y., GAGE, D. A., WATSON, J. T., "a Picomole-Scale Method for Charge Derivatization of Peptides for Sequence Analysis by Mass Spectrometry, ANALYTICAL CHEMISTRY, pp. 137-144, Vol. 69, 1997	
		KEOUGH, T., YOUNGQUIST, R.S., LACEY, M. P., "A Method for High-Sensitivity Peptide Sequencing Using Postsource Decay Matrix-Assisted Laser Desorption Ionization Mass Spectrometry", PRO. NATIONAL ACADEMY OF SCIENCE USA, pp. 7131-7136, Vol. 96, June, 1999	
		DATABASE CHEMICAL ABSTRACTS 'Online! American Chemical Society (via STN-Karlsruhe), Accession Number 2000-391605 (Caplus), BAUER, MARK D., SUN, YIPING, KEOUGH, THOMAS, LACEY, MARTIN P., "Sequencing of Sulfonic Acid Derivatized Peptides by Electrospray Mass Spectrometry", pp. 924-929, Vol. 14, No. 10, 2000	
		HUANG ZHI-HENG, SHEN TUNLI, WU JIANG, GAGE DOUGLAS A., WATSON J. THROCK, "Protein Sequencing by Matrix-Assisted Laser Desorption Ionization-Postsource Decay-Mass Spectrometry Analysis of the N-Tris (2, 4, 6-trimethoxyphenyl) phosphine-acetylated tryptic digests" ANALYTICAL BIOCHEMISTRY, pp. 305-317, Vol. 268, March 15, 1999	
		CHEN X et al, "Isotope Edited Product Ion Assignment by Alpha-N Labeling of Peptides with 'H3(50%)/2, 4-Dinitrofluorobenzene", JOURNAL OF THE AMERICAN SOCIETY FOR MASS SPECTROMETRY, US, ELSEVIER SCIENCE INC., NEW YORK, NY, pp. 448-452, Vol. 10, No. 5, May 1999	

EXAMINER	DATE CONSIDERED
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